

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

S.M. a minor by and through her parents,
C.M. and D.M. and C.M. and D.M. individually,
K.A., a minor by and through her parent, N.A., and
N.A. individually, M.S., a minor by and through her
parent S.C., and S.C., individually, K.F., a minor,
by and through her parent, C.F., and C.F.
individually, C.S. a minor by and through her
parent, S.S. and S.S. individually, D.A., a minor by
and through her parent. E.A., and E.A. individually,
R.H. a minor by and through his parent J.H. and
J.H. individually,

Plaintiffs,

vs.

CIVIL NO. 21-cv-12707
Hon. Mark A. Goldsmith
Mag. Kimberly G. Altman

BLOOMFIELD HILLS SCHOOL DISTRICT,
PATRICK WATSON, and CHARLIE HOLLERITH,
in their individual and official capacities,

Defendants.

LEONARD MUNGO (P43562)
MUNGO & MUNGO AT LAW, PLLC
Attorney for Plaintiffs
31700 Telegraph Rd., Ste. 250
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(248) 792-7557
Caseaction@mungoatlaw.com

Michael D. Weaver (P43985)
PLUNKETT COONEY
Attorney for Defendants
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Mark R. Bendure (P23490)
BENDURE & THOMAS, PLC
Co-counsel for Plaintiffs
15450 E. Jefferson Ave., Suite 110
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**PLAINTIFF COUNSEL'S THIRD AMENDED MOTION TO WITHDRAW FROM
REPRESENTATION OF PLAINTIFFS K.A., A MINOR BY AND THROUGH HER
PARENT, N.A., AND N.A. INDIVIDUALLY**

Pursuant to **Local Rule 7.1(a)**, the undersigned counsel certifies that counsel personally spoke to K. A. a minor by and through her parent, N. A. , and N. A. individually explaining the nature of the relief to be sought by way of this motion and seeking concurrence in the relief; K. A. a minor by and through her parent, N. A. , and N. A. individually expressly denied concurrence. (**see attachment #1**). Also, the undersigned counsel certifies that counsel communicated in writing with opposing counsel, explaining the nature of the relief sought by way of this motion and seeking concurrence in the relief; opposing counsel thereafter expressly concurred with the undersigned counsel's request for relief.

Pursuant to Rule 83.25(b) of the Local Rules of the United States District Court for the Eastern District of Michigan, Attorneys Leonard Mungo and Mark R. Bendure, by and through the firms Mungo and Mungo at Law, PLLC and Bendure & Thomas, PLC, and their respective attorneys, as counsel and co-counsel for Plaintiffs K.A., a minor by and through her parent, N.A., and N.A. individually (Plaintiffs K.A. and N.A.), hereby request that the Court allow for their withdrawal as counsel of record for Plaintiffs K.A. and N.A. Pursuant to **Local Rule 7.1(a)**, counsel for Plaintiffs contacted K. A. a minor by and through her parent, N. A. , and N. A. individually and sought concurrence for this instant motion and explained the legal basis for same. N.A. Counsel for Plaintiff requested but did not receive concurrence in the relief sought (see attachment #1). In support of this instant motion Plaintiffs' counsel states as follows:

There has been a breakdown in the attorney-client relationship to the extent that Mungo and Mungo at Law, PLLC and Bendure & Thomas, PLC, can no longer represent the interests of Plaintiffs K.A. and N.A. in this matter.

WHEREFORE, Counsel respectfully requests entry of an order that:

- (1) permits Attorneys Leonard Mungo and Mark R. Bendure, by and through the firms Mungo and Mungo at Law, PLLC and Bendure & Thomas, PLC, to withdraw as Plaintiffs' counsel for Plaintiffs K.A. and N.A. only;
- (2) provides Plaintiffs K.A. and N.A. sixty (60) days within which to obtain alternate legal counsel; and
- (3) provides that all counsel herein may serve future process on Plaintiffs at their last known address.

A copy of this motion will be served upon Plaintiffs K.A. and N.A at their last known address.

Respectfully submitted,

Dated: May 10, 2022

/s/ Leonard Mungo
Leonard Mungo (P43562)
MUNGO AND MUNGO AT LAW, PLLC
Counsel for Plaintiffs
31700 Telegraph Road, Suite 250
Bingham Farms, MI 48025
(248) 792-7557
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/s/ Mark R. Bendure (signed w/ permission)
Mark R. Bendure (P23490)
BENDURE & THOMAS, PLC
Co-counsel for Plaintiffs
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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

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K.A., a minor by and through her parent, N.A., and
N.A. individually, M.S., a minor by and through her
parent S.C., and S.C., individually, K.F., a minor,
by and through her parent, C.F., and C.F.
individually, C.S. a minor by and through her
parent, S.S. and S.S. individually, D.A., a minor by
and through her parent. E.A., and E.A. individually,
R.H. a minor by and through his parent J.H. and
J.H. individually,

Plaintiffs,

vs.

CIVIL NO. 21-cv-12707
Hon. Mark A. Goldsmith
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BLOOMFIELD HILLS SCHOOL DISTRICT,
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**BRIEF IN SUPPORT OF PLAINTIFF COUNSEL'S THIRD AMENDED MOTION TO
WITHDRAW FROM REPRESENTATION OF PLAINTIFFS K.A., A MINOR BY AND
THROUGH HER PARENT, N.A., AND N.A. INDIVIDUALLY**

Pursuant to Rule 83.25(b) of the Local Rules of the United States District Court for the
Eastern District of Michigan, Attorneys Leonard Mungo and Mark R. Bendure, by and through

the firms Mungo and Mungo at Law, PLLC and Bendure & Thomas, PLC, and their respective attorneys, as counsel and co-counsel for Plaintiffs K.A., a minor by and through her parent, N.A., and N.A. individually (Plaintiffs K.A. and N.A.), hereby bring this motion pursuant to Rule 83.25(b) of the Local Rules of the United States District Court for the Eastern District of Michigan.

WHEREFORE, Counsel respectfully requests entry of an order that:

- (1) permits Attorneys Leonard Mungo and Mark R. Bendure, by and through the firms Mungo and Mungo at Law, PLLC and Bendure & Thomas, PLC, to withdraw as Plaintiffs' counsel for Plaintiffs K.A. and N.A. only;
 - (2) provides Plaintiffs K.A. and N.A. sixty (60) days within which to obtain alternate legal counsel; and
 - (3) provides that all counsel herein may serve future process on Plaintiffs at their last known address.
- (4) "I, Leonard Mungo, certify that this document complies with Local Rule 5.1(a), including: double-spaced (except for quoted materials and footnotes); at least one-inch margins on the top, sides, and bottom; consecutive page numbering; and type size of all text and footnotes that is no smaller than 10-1/2 characters per inch (for non-proportional fonts) or 14 point (for proportional fonts). I also certify that it is the appropriate length. Local Rule 7.1(d)(3)."

A copy of this motion and its supporting brief will be served upon Plaintiffs K.A. and N.A. at their last known address.

Respectfully submitted,

Dated: May 10, 2022

/s/Mark R. Bendure (signed w/ permission)
Mark R. Bendure (P23490)
BENDURE & THOMAS, PLC
Co-counsel for Plaintiffs
15450 E. Jefferson Ave., Suite 110
Grosse Pointe Park, MI 48230
(313) 961-1525
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/s/ Leonard Mungo
Leonard Mungo (P43562)
MNGO & MUNGO AT LAW, PLLC
Counsel for Plaintiffs
31700 Telegraph Road, Suite 250
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CERTIFICATE OF SERVICE

Leonard Mungo, hereby states that on the 10th of May, 2022, he caused to be served, MOTION AND BRIEF IN SUPPORT OF PLAINTIFF COUNSEL'S THIRD AMENDED MOTION TO WITHDRAW FROM REPRESENTATION OF PLAINTIFFS K.A., A MINOR BY AND THROUGH HER PARENT, N.A., AND N.A. INDIVIDUALLY, and this CERTIFICATE OF SERVICE, upon Counsel of Record by filing with the Clerk of the Court using the Court's ECF/CM system which will send notice to all registered and interested parties, and a copy of the same was sent via U. S. Mail Priority Mail Express to Plaintiffs K.A. and N.A.

Respectfully submitted,

Dated: May 10, 2022

/s/ Leonard Mungo
LEONARD MUNGO (P43562)
Mungo & Mungo at Law, PLLC
Attorney for Plaintiffs
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Bingham Farms, MI 48025
(248) 792-7557
Caseaction@mungoatlaw.com

CIVIL NO. 21-cv-12707
Hon. Mark A. Goldsmith
Mag. Kimberly G. Altman

ATTACHMENT 1

Withdrawal of Legal Representation Document: Your Signature Required

Case Action <caseaction@mungoatlaw.com>

Sat 4/16/2022 5:28 PM

To: allen.nicole@yahoo.com <allen.nicole@yahoo.com>; Nicol Allen <allen.nicol@yahoo.com>; LEONARD MUNGO <mungol16@msn.com>

1 attachments (1 MB)

Withdrawal Doc Allen.pdf;

Ms. Allen,

I hope all is well with you and your family.

Please find attached a Stipulation to Withdraw as your legal counsel and accompanying proposed order. Please sign on the line just above your name identified by the blue arrow and insert the date on page 2 of 4. Please return the two (2) signed pages to me by e-mail as soon as possible. Thank you.

Leonard Mungo, Esquire



Please note our change of address and new telephone number.

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Mungo & Mungo At Law, PLLC

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Attorneys and Counselors
Leonard Mungo

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April 16, 2022

Ms. Nicole Allen
6102 Eastbrooke
West Bloomfield, Michigan 48322

re: S.M., et. al. v Bloomfield School District, et. al. Case Number 21-cv-12707

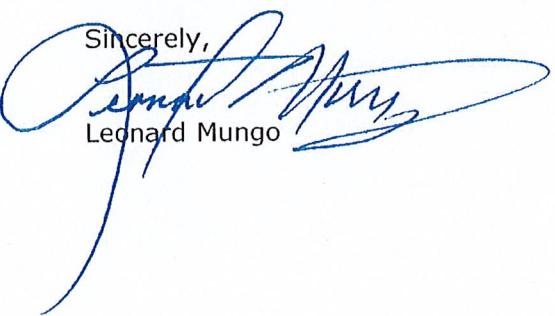
Dear Ms. Allen,

This letter memorializes our recent conversation in which you indicated an intention to terminate this law firm's representation of you in connection with the above-captioned case and proceed going forward without representation. Subject to the court's approval, you have the right to terminate your lawyer's representation.

In order to obtain the court's approval, I have prepared and am enclosing the attached Stipulation for Leave to Withdraw as Counsel. As you will see, there is a place on this draft for your signature, my signature and the signature of opposing counsel. Please review this document carefully, and if you have any questions, please let me know. Please then sign where indicated and then return the signed copy to me in the enclosed pre-addressed, stamped envelope.

It has been my pleasure to represent you in this matter, and I respect your decision to go forward.

Sincerely,


Leonard Mungo

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

S.M., a minor, by and through her parents,
C.M. and D.M., and C.M. and D.M.
individually, *et al.*,

Plaintiffs,

-vs-

E.D. Mich. #21-cv-12707
Hon. Mark A. Goldsmith

BLOOMFIELD HILLS SCHOOL DISTRICT
et al.,

Defendants.

STIPULATION TO WITHDRAW AS COUNSEL
FOR PLAINTIFFS N.A. AND K.A., A MINOR

The undersigned hereby stipulate and agree that, at the request of Plaintiff N.A., and subject to the Court's approval, the law firm of Mungo & Mungo at Law, PLLC, and attorney Leonard Mungo is withdrawing as counsel for Plaintiffs N.A. and K.A., a minor.

This withdrawal does not affect the appearance of Mr. Mungo or Mungo & Mungo at Law, PLLC, as to any other Plaintiff.

Leonard Mungo has advised N.A. and assures this Court and opposing counsel that he will cooperate fully in N.A.'s transition to new counsel or to self-

representation, as N.A. chooses.

Respectfully submitted,

/s/Leonard Mungo

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N.A., personally and on behalf
of K.A., a minor



/s/Michael D. Weaver

Michael D. Weaver P43985
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Attorneys for Defendants

Dated: , 2022

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

S.M., a minor, by and through her parents,
C.M. and D.M., and C.M. and D.M.
individually, *et al.*,

Plaintiffs,

-vs-

E.D. Mich. #21-cv-12707
Hon. Mark A. Goldsmith

BLOOMFIELD HILLS SCHOOL DISTRICT
et al.,

Defendants.

ORDER ACCEPTING
STIPULATION TO WITHDRAW AS COUNSEL
FOR PLAINTIFFS N.A. AND K.A., A MINOR

At a session of said Court held in the Theodore Levin Court
Courthouse on the ___ day of March 2022,
Hon. Mark A. Goldsmith, U.S. District Judge, president

Plaintiff N.A. having expressed her intention to terminate the representation
of N.A. and K.A., a minor, by Mungo & Mungo at Law, PLLC, and Leonard Mungo,
and Mr. Mungo having stipulated to his withdrawal as counsel for Plaintiffs N.A. and
K.A., a minor, and counsel for Defendants also having so stipulated, and Mungo &
Mungo at Law, PLLC, and Leonard Mungo remaining as counsel for all other
Plaintiffs, and the Court being satisfied that this decision by N.A. is being made
knowingly and voluntarily, and the Court also being satisfied the Mr. Mungo will

cooperate fully in their transition to successor counsel or self-representation,

IT IS ORDERED that the Stipulation be and hereby is ACCEPTED. The Appearance of Leonard Mungo and Mungo & Mungo at Law, PLLC, on behalf of Plaintiffs N.A. and K.A., a minor, is WITHDRAWN.

Hon. Mark A. Goldsmith
United States District Judge

Approved as to form and substance:

/s/Leonard Mungo

/s/Michael D. Weaver



N.A., personally and on behalf of K.A.,
a minor